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July 31, 2023

**By ECF**

Honorable Paul A. Engelmayer  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *United States v. Padilla*, 16 Cr. 317-04 (PAE)

Your Honor:

I represent Eladio Padilla for purposes of his compassionate release motion in the above-captioned case. I write to request that the deadline to submit a supplemental, counseled brief in support of his motion be extended by two months until October 10, 2023. Having reviewed and researched the issue that Mr. Padilla raises, I believe that he can demonstrate extraordinary and compelling circumstances and that the 3553(a) factors weigh in his favor. At present, however, his motion faces a substantial exhaustion obstacle. I conferred with Mr. Padilla about this issue late last week, and he is taking steps within BOP to remedy it.

To avoid duplicative work created by multiple motions before this Court, I respectfully request that Mr. Padilla's motion be held in abeyance by approximately two months and that the due date for the supplemental, counseled brief be extended to October 10, 2023 – by which time the exhaustion issue should be resolved and I will likely be able to receive paperwork from Mr. Padilla with confirmation. Thank you for your consideration.

Respectfully submitted,

/s/ Benjamin Silverman  
Benjamin Silverman

**GRANTED.** The Clerk of Court is requested  
to terminate the motion at Dkt. No. 758.

SO ORDERED.

7/31/2023



PAUL A. ENGELMAYER  
United States District Judge